

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Steven M. Bloom et al.	Art Unit :	3624
Serial No. :	10/077,182	Examiner :	Sara M. Chandler
Filed :	February 15, 2002	Confirmation No.:	9522
		Notice of Allowance Date:	6/7/2010
Title :	BALANCING ARBITRAGABLE TRACKING SECURITIES		

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Applicant recognizes that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicant does not concede that all of the identified limitations are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, Applicant while generally agreeing with the Board does not concede that the Board's reasoning is the only basis for allowance of the claims. Applicant contends that the claims may be patentable for other reasons and dependent claims are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 3, 2010

/Denis G. Maloney/
Denis G. Maloney
Reg. No. 29,670

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945

22488464.doc

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: September 03, 2010